

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEGENDARY ART, LLC	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL GODARD, et al.	:	NO. 11-0674

ORDER

AND NOW, this 17th day of August, 2012, having considered Defendants Michael Godard, Michael Godard Fine Art Enterprises, Inc., Michael Godard Fine Art Associates, and Michael Godard LLC's Motion for Summary Judgment (Doc. 36), Plaintiff Legendary Art, LLC's Response in Opposition to Defendants' Motion for Summary Judgment (Doc. 39), Defendants' Reply Brief in Support of its Motion for Summary Judgment (Doc. 42), Plaintiff's Sur-reply (Doc. 45), and oral arguments presented at the hearing on July 27, 2012, for the reasons stated in the accompanying Memorandum, it is hereby **ORDERED** that Defendants' Motion is **GRANTED** in part and **DENIED** in part, as follows:

1. Defendants' Motion is **DENIED** as to Plaintiff's breach of contract claim based on the written Deal Memorandum;
2. Defendants' Motion is **GRANTED** as to Plaintiff's breach of contract claim based on the oral Personal Performance Obligations;
3. The court will reserve judgement on the issue of whether to pierce the corporate veil and hold Defendants Michael Godard, LLC, Michael Godard Fine Art Associates, and/or Michael Godard individually liable under the written Deal Memorandum until after the jury determines the issue of liability; and

4. Defendants' Motion is **DENIED** as to Plaintiff's unjust enrichment claim.

/s/ L. Felipe Restrepo

Hon. L. Felipe Restrepo

United States Magistrate Judge